

REMARKS

Claims 1-15 are all the claims pending in the application. Support for new claims 14 and 15 may be found in the specification as originally filed, for example, at page 59.

I. The Rejection Under 35 U.S.C. 112

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. In particular, the Examiner states that the term "n" is undefined.

Claim 1 has been amended to include the subject matter of claim 2. Additionally, for clarity, general formula (I) has be amended to delete the term "n" and to recite a polyamide-imide containing repeating units of general formula (I). It is well known in the polymer art, and it would have been readily understood in the art from Applicants' specification, that the term "n" of general formula (I) is a symbol representing a repeating unit.

Additionally, claim 1 has been amended to recite a "system." The image receiving sheet and each of the four heat transfer sheets may be separate components.

For the above reasons, it is respectfully submitted that Applicants' claims are clear and definite and it is requested that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

II. The Rejection Under 35 U.S.C. §102(b) Based on Imamura et al

Claims 1, 3-8 and 13 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Imamura et al.

The Examiner states that Imamura et al discloses thermal transfer donors with light-heat conversion layers with binders of polyamide resins partially converted to imide.

The Examiner has not rejected claim 2 based on Imamura et al. Further, Imamura does not disclose a polyamide-imide having a structure of general formula (I). Applicants have amended claim 1 to include the subject matter of claim 2.

For the above reasons, it is respectfully submitted that the subject matter of claims 1, 3-8 and 13 is neither taught by nor made obvious from the disclosures of Imamura et al and it is requested that the rejection under 35 U.S.C. §102(b) be reconsidered and withdrawn.

III. The Rejection Under 35 U.S.C. §102(b) Based on Kirihata et al

Claims 1, 2, 4-7 and 13 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Kirihata et al.

The Examiner states that Kirihata et al discloses polyamide imide resin binders for light-heat conversion layers in thermal transfer donors.

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Kirihata et al and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

As noted by the Examiner, Kirihata et al mentions “polyamide imide resins” as a binder for a light-heat converting layer (column 8, line 62). However, Applicants respectfully submit Kirihata et al does not teach or disclose Applicants’ claimed polyamide-imide having a structure of general formula (I) as a binder for a light-heat conversion layer.

For the above reasons, it is respectfully submitted that the subject matter of claims 1, 2, 4-7 and 13 is not anticipated by the disclosures of Kirihata et al and it is requested that the rejection under 35 U.S.C. §102(b) be reconsidered and withdrawn.

IV. The Rejection Under 35 U.S.C. §102(b)

Claims 1, 2, 4-8 and 13 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by JP 11-348438.

The Examiner states that JP 11-348438 discloses thermal transfer donors with light-heat conversion layers with binders of polyamide imide resins as disclosed in the submitted translated PCT Examination Report.

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of JP 11-348438 and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

As noted by the Examiner, JP 11-348438 discloses thermal transfer donors with light-heat conversion layers with binders of polyamide imide resins. However, Applicants respectfully submit JP 11-348438 does not teach or disclose Applicants' claimed polyamide-imide having a structure of general formula (I) as a binder for a light-heat conversion layer.

For the above reasons, it is respectfully submitted that the subject matter of claims 1, 2, 4-7 and 13 is not anticipated by the disclosures of JP 11-348438 and it is requested that the rejection under 35 U.S.C. §102(b) be reconsidered and withdrawn.

V. The Rejections Under 35 U.S.C. §103(a)

Claims 1-8 and 13 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Miyake et al., Wachi et al. or JP 11-334231 all in view of Arai et al., Kirihata et al. and JP11-348438.

The Examiner's basic position is that Wachi et al, Miyake et al and JP 11-334231 disclose thermal transfer donors with light-heat conversation layers with binders, including

polyamides and polyimides, and light absorbers, including cyanine dyes, used to make multicolor images on receivers and that Arai et al, JP11-348438 and Kiriata et al teach using polyamide-imide resins as binders for light-heat conversion layers in thermal transfer donors. The Examiner concludes that since polyamide-imide resins are taught in the art as suitable binders for light-heat conversion layers in thermal sensitive elements, including thermal transfer elements, it would be obvious to one skilled in the art to use polyamide-imide resins as the called for binders in the thermal sensitive transfer donors of Wachi et al., Miyake et al. or JP 11-334231.

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Miyake et al., Wachi et al. or JP 11-334231, in view of Arai et al., Kiriata et al. and JP11-348438, and request that the Examiner reconsider and withdraw these rejections in view of the following remarks.

Applicants respectfully submit that the cited art does not teach or disclose Applicants' claimed multicolor image forming system as claimed where the light-heat conversion layer contains a polyamide-imide comprising repeating units represented by the following general formula (I) as a binder.

While, as set forth above, it is believed the Examiner has not established a prima facie case of obviousness, to advance the prosecution of the case, Applicants have provided additional declaration evidence showing the improved properties of the presently claimed multicolor image forming system over the materials of the references of the rejection.

As set forth in further detail in the attached executed Declaration Under 37 C.F.R. §1.132, the sensitivity enhancing effect of thermal transfer sheet of the inventive system, containing a polyamide-imide resin, are unexpectedly improved over the results seen in the comparative samples, which contain a polyamide resin.

For the above reasons, it is respectfully submitted that the subject matter of claims 1-8 and 13 is neither taught by nor made obvious from the disclosures of Miyake et al., Wachi et al. or JP 11-334231, in view of Arai et al., Kiriata et al and JP11-348438, and it is requested that the rejections under 35 U.S.C. §103(a) be reconsidered and withdrawn.

VI. The Rejection Under 35 U.S.C. §103(a) Based on Wachi et al., Miyake et al. or JP 11-334231 in view of Imamura et al

Claims 1, 3-8 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wachi et al., Miyake et al. or JP 11-334231 all in view of Imamura et al.

The Examiner has not rejected claim 2 based on Imamura et al. Further, Imamura does not disclose a polyamide-imide having a structure of general formula (I). Applicants have amended claim 1 to include the subject matter of claim 2.

For the above reasons, it is respectfully submitted that the subject matter of claims 1, 3-8 and 13 is neither taught by nor made obvious from the disclosures of Wachi et al., Miyake et al. or JP 11-334231 in view of Imamura et al and it is requested that the rejection under 35 U.S.C. §102(b) be reconsidered and withdrawn.

VII. Conclusion

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §112 and the rejections under 35 U.S.C.

§102 and §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Lee C. Wright
Registration No. 41,441

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 27, 2005